

**Federal Defenders
OF NEW YORK, INC.**

Southern District
52 Duane Street-10th Floor, New York, NY 10007
Tel: (212) 417-8700 Fax: (212) 571-0392

David E. Patton
Executive Director

Southern District of New York
Jennifer L. Brown
Attorney-in-Charge

January 5, 2021

VIA ECF
The Honorable Jesse Furman
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

Re: United States v. Trevor McKoy, 20 CR 229 (JF)

Dear Judge Furman:

The parties write jointly in response to the Court's Order dated January 4, 2021, ECF Doc. No. 53, regarding a trial date. Mr. McKoy is expected to plead guilty pursuant to a plea agreement. The parties ask that the Court schedule a change of plea hearing for January 20, 2021 at 12 pm, a date and time that we understand all parties are available. As such, the parties submit that no trial date should be set.

Mr. McKoy is detained at the MCC and he consents to participate in the change of plea hearing telephonically. The attorneys also ask to participate telephonically. Pursuant to the CARES Act, the Court can conduct remote proceedings where there are specific reasons that the plea proceeding cannot be further delayed without serious harm to the interests of justice. Such reasons exist here in that both the public and Mr. McKoy have an interest in finality. Furthermore, the Court has calendared a trial to begin on April 6, 2021 and the interests of justice are best served if Mr. McKoy is permitted to change his plea in advance of that date.

Respectfully submitted,

/s/
Julia Gatto
Assistant Federal Defender
Tel: (212) 417-8750

Application GRANTED, except that given the CARES Act's preference for pleas by videoconference rather than teleconference, the proceeding will be conducted by videoconference. Therefore, the conference is tentatively scheduled to occur as a videoconference on February 5, 2021, at 11:00 am. The Court will confirm the date and time, as well as the conference platform closer to the scheduled date. The Clerk of Court is directed to terminate Doc. #54. SO ORDERED.

cc: AUSA Thomas Burnett (via ECF)



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